

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/989,376
Attorney Docket No.: Q66493

REMARKS

Claims 1-19 are all the claims pending in the Application. By this amendment, Applicant amends claims 1, 8, and 14 to further clarify the invention and claim 2 for conformity with the amendment made to claim 1.

I. Preliminary Matters

The Examiner has acknowledged Applicant's claim to foreign priority and has indicated receipt of the certified copy of the Priority Document.

The Examiner, however, has not indicated approval of the drawings filed on November 21, 2001. Applicant respectfully requests the Examiner to indicate approval of the drawings filed November 21, 2001.

II. Summary of the Office Action

The Examiner objected to the title. With respect to the claims, claims 1-19 stand rejected. Claim 8 is rejected under 35 U.S.C. § 112, first paragraph, claims 1-4, 6-10, 12-16, 18, and 19 are rejected under 35 U.S.C. § 102(b) and claims 5, 11, and 17 are rejected under 35 U.S.C. § 103(a).

III. Objection to the Specification

The Examiner has objected to the title of the invention as being non-descriptive. Applicant respectfully requests the Examiner to withdraw this objection to the title in view of a self-explanatory amendment being made herein.

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IV. Rejection under § 112, first paragraph

Claim 8 is rejected under 35 U.S.C. § 112, first paragraph. Applicant respectfully requests the Examiner to withdraw this rejection of claim 8 in view of a self-explanatory claim amendment being made herein.

V. Claim Rejections

With respect to the rejections, claims 1-4, 6-10, 12-16, 18, and 19 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,041,850 to Kahoyashi et al. (hereinafter “Kahoyashi”) and claims 5, 11 and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kahoyashi in view of U.S. Patent No. 6,385,944 to Taniguchi et al. (hereinafter “Taniguchi”). Applicant respectfully traverses these rejections in view of the following remarks.

Claim Rejections under 35 U.S.C. § 102

Claims 1-4, 6-10, 12-16, 18, and 19 are rejected under 35 U.S.C. § 102(b) as being anticipated by Kahoyashi. Of the rejected claims, only claims 1, 8 and 14 are independent. The Examiner contends that Kahoyashi suggests each feature of independent claims 1, 8, and 14. These rejections are not supportable for at least the following reasons.

Claim 1, among a number of unique features, recites “an image recording position correcting unit which allows said image recording unit to correct an image recording position for said image recording material based on result of detection of said position of said image recording material in said at least one side by said position detecting unit so that said image can be recorded correctly at a position to be recorded on said image recording material transported as

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it is by said transporting unit without correcting said detected position of said image recording material.” Independent claims 8 and 14 recite features similar to, although not coextensive with, the features quoted above with respect to claim 1.

In an exemplary, non-limiting embodiment of the present invention, a position of the recording material, its size or an inclination angle is detected. In accordance with the detected position, size, or inclination of the recording material, the starting position for drawing an image onto the recording material by an image recording unit such as a thermal head (heat generating elements), a light beam scanning apparatus (a laser scanner) is altered, or, image data to be supplied to the image recording unit is rearranged, so that an image output area of the image recording unit is changed by software means, or that the image output area of the image recording unit is aligned to its proper position by inclining a main scan recording direction of the image recording unit, *i.e.*, an arrangement direction of heat generating elements of a thermal head or a scanning direction of the light beam from the laser scanner in accordance with the detected inclination of the recording material. It will be appreciated that the foregoing remarks relate to the invention in a general sense, the remarks are not necessarily limitative of any claims and are intended only to help the Examiner better understand the distinguishing aspects of the claims mentioned above.

The Office Action indicated that Kahoyashi's data table with angles of correction values discloses the image recording position correcting unit as set forth in the independent claims 1, 8, and 14 (*see* page 3 of the Office Action). Applicant respectfully disagrees.

Kahoyashi discloses a paper width sensor detecting the position of the printing paper in the width direction and correcting the skew of the printing paper in the desired direction by changing the inclination angle of the heat rollers 20 and 21 (col. 10, line 12 to col. 11, line 4). That is, Kahoyashi discloses correcting the skew of the printing paper during its transportation by the heat rollers. Kahoyashi fails to disclose or suggest not correcting the positional deviation or inclination (posture) of the recording material during transportation but to correct it by the image recording position correcting unit. In other words, Kahoyashi fails to disclose or suggest transporting the recording material without any corrections and implementing these corrections by the image recording unit. In short, Kahoyashi fails to disclose or suggest the image recording position correcting unit that would correct an image recording position not by the recording material itself but by the image recording unit so as to record at a proper image recording position on the recording material

In summary, the deficiencies of the Kahoyashi reference fall to the Examiner's burden to show inherent inclusion of the claim elements. Therefore, for all the above reasons, independent claims 1, 8, and 14 are patentable. Claims 2-4, 6, 7, 9, 10, 12, 13, 15, 16, 18, and 19 are patentable at least by virtue of their dependency on claim 1, 8, or 14.

Claim Rejections under 35 U.S.C. § 103(a)

Claims 5, 11, and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kahoyashi in view of Taniguchi. Claims 5, 11, and 17 depend on claims 1, 8, and 14, respectively. It was already demonstrated that Kahoyashi fails to teach or suggest all of the unique features of claims 1, 8, and 14. Taniguchi is only cited for its teachings of a

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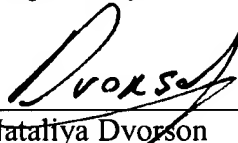
potentiometer (*see* page 10 of the Office Action) and as such clearly fails to cure the deficient teachings of Kahoyashi. Therefore, claims 1, 8, and 14 are patentable over the combined teachings of Kahoyashi and Taniguchi. Claims 5, 11, and 17 are patentable at least by virtue of their dependency on claims 1, 8, and 14.

VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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